

### REMARKS

Entry of the foregoing and reconsideration of the application identified in caption, as amended, pursuant to and consistent with 37 C.F.R. §1.111 and in light of the remarks which follow, are respectfully requested.

At the outset, in response to the Examiner's restriction requirement, the election of invention Group II, claims 6-20, is hereby affirmed.

By the above amendments, claim 6 has been amended to be in independent form. Claim 6 has also been amended to recite that the method by which the optical compensating sheet is produced comprises a step of simultaneously coating at least two coating solutions on a transparent support. Claim 6 has also been amended to recite that the optical compensating sheet comprises: an optically anisotropic layer formed from a first coating solution which comprises a liquid crystalline compound, and a second coating solution which comprises a surface active agent, wherein the second coating solution forms a surfactant layer constituting an upper layer of the optically anisotropic layer. Support for the above amendments can be found in the instant specification at least at page 10, lines 16-22, taken in connection with page 74, lines 4-12.

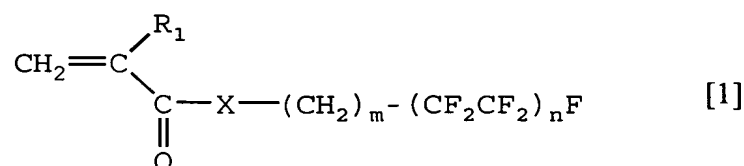
Claim 7 has been amended to recite that the optically anisotropic layer comprises a surfactant layer comprising a fluoroaliphatic group-containing copolymer, wherein the surfactant layer constitutes an upper layer of the optically anisotropic layer. Support for such amendments can be found in the specification at least at page 74, lines 4-12. Newly added claims 21 and 22 depend from claims 6 and 7, respectively. Support for such new claims can be found in the specification at least at page 74, line 4 to page 75, line 6.

In the Official Action, claims 6-11, 13, 14 and 17-20 stand rejected under 35 U.S.C. §102(b) as being anticipated by European Patent Document No. 1 079 244 A2 (*Negoro et al*).

Claims 12, 15 and 16 stand rejected under 35 U.S.C. §103(a) as being obvious over *Negoro et al.* Withdrawal of the above rejections is respectfully requested for at least the following reasons.

Independent claim 6 is directed to an optical compensating sheet produced by a method comprising a step of simultaneously coating at least two coating solutions on a transparent support, wherein the optical compensating sheet comprises: an optically anisotropic layer formed from a first coating solution which comprises a liquid crystalline compound, and a second coating solution which comprises a surface active agent, wherein the second coating solution forms a surfactant layer constituting an upper layer of the optically anisotropic layer.

Independent claim 7 is directed to an optical film comprising a support having thereon an optically anisotropic layer comprising a liquid crystalline compound and a surfactant layer comprising a fluoroaliphatic group-containing copolymer, wherein said fluoroaliphatic group-containing copolymer comprises a repeating unit derived from the following monomer (i) and a repeating unit derived from the following monomer (ii): (i) a fluoroaliphatic group-containing monomer represented by the following formula [1], and (ii) a poly(oxyalkylene) acrylate and/or a poly(oxyalkylene) methacrylate:



wherein R<sub>1</sub> represents a hydrogen atom or a methyl group, X represents an oxygen atom, a sulfur atom or -N(R<sub>2</sub>)-, m represents an integer of 1 to 6, n represents an integer of 2 to 4, and R<sub>2</sub> represents a hydrogen atom or an alkyl group having from 1 to 4 carbon atoms, and wherein the surfactant layer constitutes an upper layer of the optically anisotropic layer.

*Negoro et al* does not disclose or suggest each feature recited in independent claims 6 and 7. For example, *Negoro et al* does not disclose or suggest a surfactant layer which constitutes an upper layer of the optically anisotropic layer, as recited in claims 6 and 7. In this regard, it appears that the Patent Office has taken the position that a copolymer having a fluorine-substituted hydrocarbon group disclosed by *Negoro et al* corresponds to the surface active agent recited in claim 6. Official Action at page 4. **However, *Negoro et al* has no recognition or suggestion that the surfactant layer constitutes an upper layer of the optically anisotropic layer, as is presently claimed.**

The Examiner has also relied on Example 13 of *Negoro et al* for disclosing a coating solution formed from dissolving, *inter alia*, a copolymer containing a fluoroaliphatic group-containing monomer. Official Action at page 4. However, *Negoro et al* has no recognition or suggestion that such coating solution forms a surfactant layer constituting an upper layer of the optically anisotropic layer, as is presently claimed. By comparison, *Negoro et al* discloses that after coating, the surface was subjected to a rubbing treatment to form an orientation layer, and that an optically anisotropic layer was formed on the orientation layer. Paragraphs [0271] and [0272]. Quite clearly, *Negoro et al* fails to disclose or suggest a surfactant layer that constitutes **an upper layer** of the optically anisotropic layer, as recited in claims 6 and 7.

It is further noted that *Negoro et al* does not disclose or suggest an optical compensating sheet produced by a method comprising a step of **simultaneously coating at least two coating solutions on a transparent support**, as is recited in claim 6. There is simply no disclosure or suggestion of such a method of producing an optical compensating sheet in the *Negoro et al* disclosure.

For at least the above reasons, it is apparent that independent claims 6 and 7 are not anticipated by or obvious over *Negoro et al.* Accordingly, withdrawal of the above rejections is respectfully requested.

It respectfully noted that new dependent claims 21 and 22 are further distinguishable from *Negoro et al.* *Negoro et al* fails to disclose or suggest that the viscosity of the second coating solution is lower than the viscosity of the first coating solution as recited in claim 6, and that the viscosity of a first coating solution containing the fluoroaliphatic group-containing copolymer is lower than the viscosity of a second coating solution containing the liquid crystalline compound as recited in claim 7.

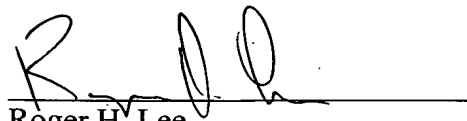
From the foregoing, further and favorable action in the form of a Notice of Allowance is believed to be next in order, and such action is earnestly solicited. If there are any questions concerning this paper or the application in general, the Examiner is invited to telephone the undersigned.

Respectfully submitted,

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